IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Civil Misc. Writ Petition No. 1089 (S/B) of 2001
(Old No. 19018 of 1995)

Sri G.C. Pandey, S/o Late Sri S.N. Pandey
Presently working as Officer posted in
Junior Management Grade Scale-I
In the Union Bank of India
Rajpur Road, Dehradun ...Petitioner

Versus

1. Chairman-cum-Managing Director
   Union Bank of India
   239 Vidhan Bhawan Marg
   Nirman Point
   Mumbai
2. General Manager
   Union of India
   Zonal Office
   Sharda Tower, Kapoorthala House
   Aliganj Lucknow
3. Assistant General Manager
   Regional Office
   Union Bank of India
   1st Floor, Opposite G.I.C. Begum Bridge
   Meerut ...Respondents

Sri Manoj Tiwari, learned counsel for the petitioner
Sri Tehmina Punwani, learned senior advocate assisted by Ms Menka Tripathi, learned counsel for the respondents.

Hon'ble P.C. Verma, J.
Hon'ble B.C. Kandpal, J.

By means of this writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to promote the petitioner in the Junior Management Grade – I w.e.f. the date when the persons junior to him were promoted to the said post and to give all the consequential benefits of seniority. A further writ of mandamus has been sought to direct the respondents to promote the petitioner on the Middle Management Grade Scale – II and Middle Management Grade Scale – III w.e.f. 28.05.1988 and 07.03.1994 respectively.

2. The petitioner has stated in para – 1 that he is working as Junior Management Grade Scale – I (hereinafter be referred to as the JMGS – I) in the pay scale of Rs. 2100 – 4020 in the Union Bank of India, Rajpur Road, Dehradun. It has not been indicated in the writ petition as to when the petitioner was promoted. The petitioner's claim is with respect to the seniority in JMGS-I and further promotion to the post of JMGS-II.

3. Learned counsel for the petitioner has made a statement at bar that the petitioner has been promoted on the post of JMGS – II and also on the post of JMGS – I. Since, the relief sought for by means of this writ petition has already been granted to the petitioner, therefore, the petition has rendered infructuous so far as reliefs claimed in the writ petition.

4. The only grievance of the petitioner is that the promotions given to the petitioner are of subsequent date to that of the date of the promotion given to his juniors which has resulted in the loss of seniority of the petitioner and is affecting his future promotion. Sufficient facts have not been stated to enable this Court to come to a conclusion with regard to his seniority in each grade and the date and the reasons as to why he was not given promotion alongwith those persons.

5. Therefore, it will be in the end of justice to allow the petitioner to make a representation to the respondent No. 1 – Chairman-cum-Managing Director, Union Bank of India, 239 Vidhan Bhawan Marg, Nariman Point, Mumbai by giving full particulars and details with regard to his seniority and promotion, notional promotion, if any, within a period of two

weeks from today. It is provided that if such representation is made by the petitioner, the same shall be decided by respondent No. 1 by a reasoned order within a period of one month from the date of receipt of the representation by a reasoned order.

6. With the aforesaid observation, the writ petition is disposed of finally.

(B.C. Kandpal, J.) **(P.C. Verma, J.)**

29.03.2006
R.Dang